



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 5, 2013

Trenton Bowens
200 East Wall Street
Benton Harbor, Michigan 49022

Wilce Cooke
1130 Salem Avenue
Benton Harbor, Michigan 49022

George Moon
818 High Point Drive
Benton Harbor, Michigan 49022

Marcus Muhammad
453 Cherry Street
Benton Harbor, Michigan 49022

Edward Pinkney
1940 Union Avenue
Benton Harbor, Michigan 49022

Dear Messrs. Bowens, Cooke, Moon, Muhammad, and Pinkney:

The Department of State (Department) received formal complaints filed against you by Citizens for the Success of Benton Harbor (CSBH), alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of these complaints is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* Copies of the complaint and supporting documentation are enclosed with this letter.

By statutory definition, a committee is formed when "a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of voters for or against . . . the qualification, passage, or defeat of a ballot question . . . if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year." MCL 169.203(4). The MCFA requires a committee to file a statement of organization within 10 days after a committee is formed. MCL 169.224(1). Late fees may be incurred if the statement of organization is filed late. *Id.* Failure to file a statement of organization for more than 30 days is a misdemeanor. *Id.* A statement of organization must be filed within 10 days of reaching one of these \$500.00 thresholds.

Trenton Bowens
Wilce Cook
George Moon
Marcus Muhammad
Edward Pinkney
December 5, 2013
Page 2

CSBH alleges that you have received contributions and made expenditures exceeding the \$500.00 threshold and have not formed a committee or filed a statement of organization.

The Act further requires committees to file periodic campaign finance statements and reports. The failure to file a single campaign statement may trigger late filing fees. MCL 169.234(5), 169.235(3). In certain circumstances, multiple failures to file may constitute a misdemeanor offense. MCL 169.234(6), 169.235(5).

CSBH alleges that you have failed to file the required campaign statements.

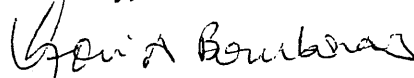
The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. You may each submit your own answer or you may file one answer signed by all of you. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to CSBH, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]". MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalties provided in sections 24(1), 34(6), and 35(5) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Troy Rolling

Michigan Department of State
Campaign Finance Complaint Form

Reset Form

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*).

Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name Citizens for the Success of Benton Harbor		Daytime Telephone Number 269-757-1461
Mailing Address P.O. Box 9087		
City Benton Harbor	State Mi	Zip 49022

Section 2. Alleged Violator		
Name Commissioner Marcus Muhammad		
Mailing Address 453 Cherry St		
City Benton Harbor	State MI	Zip 49022

Section 3. Alleged Violations (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated: 169.221, 169.224, 169.225, 169.226, 169.233, 169.234

Explain how those sections were violated:

169.221 (No Treasurer, No Bank Account)

169.224, 169.225, 169.226 (No Statement of Organization)

169.225, 169.233, 169.234 (Failure to File a Campaign Committee)

Evidence that supports those allegations (attach copies of pertinent documents and other information):

Berrien County had no record on file

Attachments showing fundraising activity. Printed materials with no committee information. Evidence of commercials

running on radio and tv. Our organization called about running radio commercials and they told us \$950.

Facebook pages: Defending Benton Harbor, Citizens for Tax Progress, Commissioner Bowens

Claims to be operating the campaign under: the Defending Benton Harbor Committee

VOTE yes Ad had a request to vote for him.

BUREAU OF ELECTIONS
MICHIGAN DEPT OF STATE

NOV 15 PM 12:10

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X

Signature of Complainant

Date

11/15/13

Section 5. Certification without Evidence (Supplemental to Section 4)

Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint. However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

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Berrien County had no record on file

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Signature of Complainant

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Mail or deliver the completed complaint form and evidence to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
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Lansing, Michigan 48918

**Michigan Department of State
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Mailing Address P.O. Box 9087		
City Benton Harbor	State Mi	Zip 49022

Section 2. Alleged Violator		
Name Wilce Cooke		
Mailing Address 1130 Salem Avenue		
City Benton Harbor	State MI	Zip 49022

Section 3. Alleged Violations (Use additional sheet if more space is needed.)
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Claims to be operating the campaign under: the Defending Benton Harbor Committee

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Mailing Address P.O. Box 9087			
City Benton Harbor	State Mi	Zip 49022	

Section 2. Alleged Violator			
Name EDWARD PINKNEY			
Mailing Address 1940 UNION AVE			
City Benton Harbor	State MI	Zip 49022	

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BUREAU OF ELECTIONS
MI DEPT OF STATE

2013 NOV 15 PM 10 37

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City Benton Harbor	State Mi	Zip 49022

Section 2. Alleged Violator		
Name Commissioner Trenton Bowens		
Mailing Address 200 E. Wall Street		
City Benton Harbor	State MI	Zip 49022

Section 3. Alleged Violations (Use additional sheet if more space is needed.)
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BUREAU OF ELECTIONS
MICHIGAN DEPT OF STATE

2013 NOV 15 PM 2:33

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11/15/19
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Name George Moon		
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Three Facebook sites that they operate from: Defending Benton Harbor, Citizens for Progress for a City Tax and Commissioner Bowens. All of these were taken from Defending Benton Harbor.



Defending Benton Harbor

September 1

Whirlpool has decided to come against the City Income Tax and have decided to fund the Mayor's request of money to defeat it.. If we ever needed your help...We need it now.. Should big businesses have to pay taxes? You can donate to us at savebentonharbor@gmail.com or you can purchase materials and send to us my by messaging our office. No donation is small even if it's 10.00 or 15.00 or 20.00 Every Penny Counts

Like · Comment · Share

3

Fundraising



Defending Benton Harbor

October 16 via mobile

New offices will be opening in Benton Harbor thanks to the grant we just secured!!!

Like · Comment · Share



7 people like this.



Write a comment...

Received a grant.



Defending Benton Harbor shared a status.
October 21

Election Day is 2 Weeks away and we need your help..This is critical if you think big businesses should pay taxes...They have flooded the city out with VOTE NO...We need the finances to compete..This is crucial if it's \$5.00 to \$105.00 Please Help us Donate to SaveBentonharbor@Gmail.com

Like · Comment · Share

More fundraising.



Defending Benton Harbor
October 27

Yesterday we purchased radio advertisements in regards to the City Income TAX..One week to election day and we are excited...

Like · Comment · Share

3 people like this.



Write a comment...

The Buy



Defending Benton Harbor
October 27

The radio commercials have started..We are now in the works of releasing the T.V.Commercial.. Thanks to all who came out to work at the office this weekend..

Like · Comment · Share

3 people like this.



Write a comment...

Plans for Television Commercial

\$1,000 Radio Commercials and



Defending Benton Harbor

November 1

Tune into WVBH 105.3FM Tonight as Jeffery Booker Commissioner Mary Alice ,Commissioner Marcus Muhammad and many other exciting special guest tune in at 6:00pm..Learn more about the City Tax and why you should Vote Yes November 5th 2013..

Like · Comment · Share

Radio Show three was done at

a \$125 a piece.



Defending Benton Harbor

October 30

Attention for Residents of BH who watch Scandal Plus stay tuned Thursday Special Commercial happening..

Like · Comment · Share



Deb Allen Poage likes this.



Write a comment...



Commercial Play

**Businesses that will
contribute just to name a few.**

1. Whirlpool (Personal and Real Property tax breaks \$85 million)
2. Atlantic Automotive (Real Property Tax breaks)
3. New Products (Personal Property tax abatements)
4. Abonmarche
5. Pearson Construction
6. Chemical Bank
7. Department of Human Services
8. Edward Scott
9. Cornerstone Alliance
10. Senior PGA (2014, 2016, 2018)
11. AT&T (just received \$85K contract in phone services with the city)
12. Comcast
13. Sonny Spot (Gas Station)
14. May Street (Gas Station)
15. Marathon (Gas Station)
16. Brammell Supply
17. Honor Credit Union
18. Family Dollar (Pipestone)
19. Subway
20. Harbor Village Hotel and Condominiums
(\$114 million Brownfield/Amended 425)
21. Harbor Shores
(\$450 million Real Property Tax Breaks)
22. AEP
23. Michigan Gas Utilities



**VOTE
YES**

Newspaper AD 1of 2 (\$400)

(Committee at the bottom that don't exist.)

October 31, 2013

Dear Residents:

I hope that this communication finds you in the best of health and spirit.

I want to thank you for your sacrifice and commitment to the City of Benton Harbor. Senior citizens, homeowners, landlords and small business are responsible for the current survival of the City of Benton Harbor.

Your hard work is greatly appreciated.

With that being said, the City of Benton Harbor is under Emergency Management by the State of Michigan and remains in a financial crisis. The fact is, Corporations and certain businesses enjoy tax breaks, but the City of Benton Harbor is in steady decline. The tax contributions from senior citizens, homeowners, landlords, and small businesses can no longer shoulder this burden alone.

On the November 5, 2013 general election ballot, the residents will have an opportunity to make corporations and the people (95%) who work in the City of Benton Harbor

VOTE YES

**TO SAVE BENTON HARBOR
CITY INCOME TAX**

**If You Vote YES, These Are Some Of The Businesses
That Will Contribute To The City Income Tax:**

1. Whirlpool Corporation
2. Michigan Gas Utilities
3. American Electric Power
4. Harbor Shores
5. Senior PGA (2014, 2016, 2018...)
6. Atlantic Automotive
7. New Products
8. Comcast
9. AT&T
10. Department of Human Services (DHS)

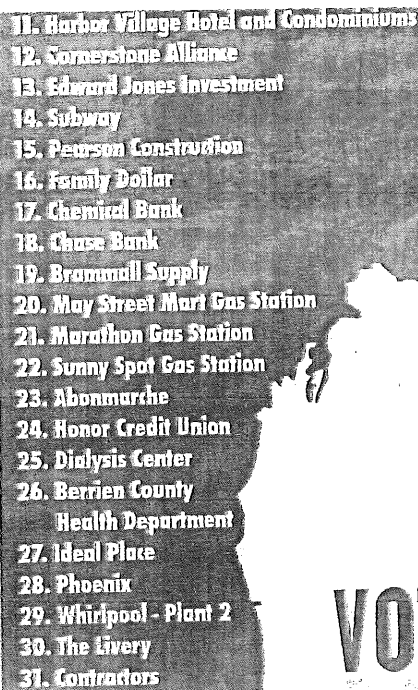
and the people (2013) who work in the City of Benton Harbor but do not live in the City of Benton Harbor, pay their fair share. This will generate a projected 2.5 million dollars for the City of Benton Harbor. If you VOTE YES, the City of Benton Harbor can lower property taxes, water bills, repair pot holes, alleys, sidewalks and improve city services.

The City Income tax will only impact residents that have an income or are working. Residents that are working will pay one penny on a dollar. Non-residents will pay one penny on two dollars. People who are retired and collect a pension are exempt. People who collect Social Security, disability, and receive welfare are exempt from a city income tax. I am willing to sacrifice a penny on a dollar to save Benton Harbor. Let's save Benton Harbor and VOTE YES November 5, 2013.

Lastly, I am asking for your support in my reelection as Commissioner at Large so I can continue to fight and serve on your behalf. For more information please contact me at (269) 861-6504. Thank you for reading these words. Respectfully submitted,

Marcus Muhammad
Commissioner at Large
City of Benton Harbor

Paid for by The Defending Benton Harbor Committee

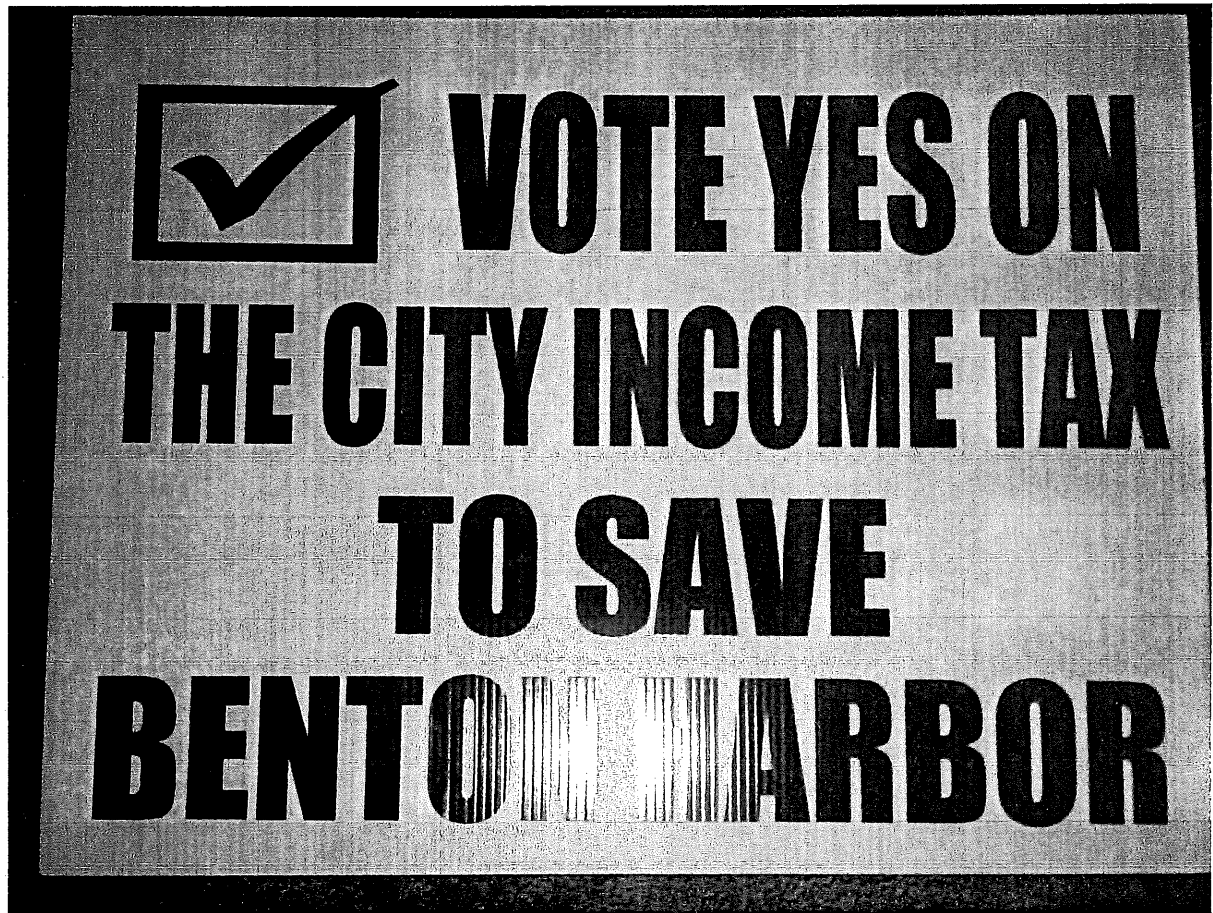
- 
11. Harbor Village Hotel and Condominiums
 12. Cornerstone Alliance
 13. Edward Jones Investment
 14. Subway
 15. Peterson Construction
 16. Family Dollar
 17. Chemical Bank
 18. Chase Bank
 19. Brammall Supply
 20. May Street Mart Gas Station
 21. Marathon Gas Station
 22. Sunny Spot Gas Station
 23. Abonmarche
 24. Honor Credit Union
 25. Dialysis Center
 26. Berrien County
Health Department
 27. Ideal Place
 28. Phoenix
 29. Whirlpool - Plant 2
 30. The Livery
 31. Contractors

VOTE

www.bentonsplitnews.com

At the bottom of this Ad Commissioner Marcus Muhammad ask for support for his re-election. How did he give to vote yes as a result or was it an in-kind donation?

YARD SIGNS (No committee)

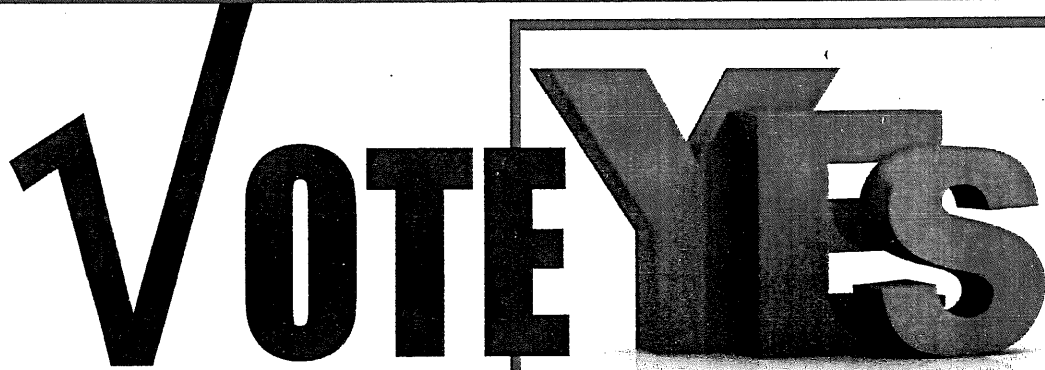


NOVEMBER 5, 2013

VOTE YES

**TO SAVE BENTON HARBOR
CITY INCOME TAX**

Palm Card



VOTE YES

**TO SAVE BENTON HARBOR
CITY INCOME TAX**

NOVEMBER 5, 2013

Businesses that will contribute just to name a few.

1. Whirlpool (Personal and Real Property tax breaks \$85 million)
2. Atlantic Automotive (Real Property Tax breaks)
3. New Products (Personal Property tax abatements)
4. Abonmarche
5. Pearson Construction
6. Chemical Bank
7. Department of Human Services
8. Edward Scott
9. Cornerstone Alliance
10. Senior PGA (2014, 2016, 2018)
11. AT&T (Just received \$85K contract in phone services with the City)
12. Comcast
13. Sonny Spot (Gas Station)
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15. Marathon (Gas Station)
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(\$114 million Brownfield/Annexed 425)
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The City Income tax will only impact residents that have an income or are working. Residents that are working will pay one penny on a dollar. Non-residents will pay one penny on two dollars. People who are retired and collect a pension are exempt. People who collect Social Security, disability, and receive welfare are exempt from a city income tax. I am willing to sacrifice a penny on a dollar to save Benton Harbor. Let's save Benton Harbor and VOTE YES November 5, 2013.

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Muhammad
Commissioner at Large
City of Benton Harbor

Paid for by The Defending Benton Harbor Committee

www.bentonspirtnews.com

VOTE YES

TO SAVE BENTON HARBOR CITY INCOME TAX

If You Vote YES, These Are Some Of The Businesses
That Will Contribute To The City Income Tax:

1. Wheelpool Corporation
2. Michigan Gas Utilities
3. American Electric Power
4. Harbor Shores
5. Senior PGA (2014, 2016, 2018...)
6. Atlantic Automotive
7. New Products
8. Comcast
9. AT&T
10. Department of Human Services (DHS)
11. Harbor Village Hotel and Condominiums
12. Cornerstone Alliance
13. Edward Jones Investment
14. Subway
15. Pearson Construction
16. Family Dollar
17. Chemical Bank
18. Chase Bank
19. Brammell Supply
20. May Street Mart Gas Station
21. Marathon Gas Station
22. Sunny Spot Gas Station
23. Abonmarche
24. Honor Credit Union
25. Dialysis Center
26. Berrien County Health Department
27. Ideal Place
28. Phoenix
29. Wheelpool - Plant 2
30. The Livery
31. Contractors

VOTE YES

Bourbonais, Lori (MDOS)

From: Benton Harbor Success <citizensforbh@gmail.com>
Sent: Monday, November 18, 2013 12:32 AM
To: Bourbonais, Lori (MDOS)
Subject: Little More Evidence

Lori,

I came in on Friday from Benton Harbor, Mi with Citizens for the Success of Benton Harbor. And you told me I could email you more evidence I found on the VOTE YES campaign that I come across. Well I found these news interviews out there and I thought I would contribute them to the evidence pile. If I find anything else, I will send it your way.

George Moon is this video at about the 2 min mark(the story below the video has name in it):

<http://www.wsbt.com/video-and-photos/Benton-Harbor-income-tax/-/21047006/22802674/-/x7qvko/-/index.html>

Trenton Bowens came in at about 2:00 mark

<http://www.fox28.com/story/23884636/2013/11/05/benton-harbor-residents-vote-on-income-tax-commissioners>

Edward Pigney comes up at about the 22 sec mark
Wilce Cooke follows him. (Not named)

<http://www.abc57.com/home/top-stories/tax-230449771.html>

Thank you,

Troy Rolling